

# **Exhibit 6**

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[Additional counsel appear on the signature page.]

*Counsel for Plaintiffs and the Putative Class*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

*In re Facebook Biometric Information  
Privacy Litigation*

THIS DOCUMENT RELATES TO:  
  
ALL ACTIONS

Master Docket No. 3:15-cv-3747-JD

**PLAINTIFF CARLO LICATA'S  
NOTICE OF RULE 30(b)(6)  
DEPOSITION OF DEFENDANT  
FACEBOOK, INC.**

PLEASE TAKE NOTICE that pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiff Carlo Licata, through his counsel, will take the deposition of a corporate representative of Defendant Facebook, Inc. ("Facebook") on January 26, 2016, beginning at 9:00 a.m. at the offices of Robbins Geller Rudman & Dowd LLP, Post Montgomery Center, One Montgomery Street, Suite 1800, San Francisco, California 94104, or at such other reasonable time and/or location as the parties may agree. Facebook shall designate one or more officers, employees, agents, or other persons who can testify on behalf of Facebook with respect to the topics set forth below. The deposition testimony will continue until completed and will be recorded stenographically and videographically. You are instructed to bring to the deposition all documents used or relied upon by You in answering Plaintiff's Expedited Set of Interrogatories and Requests for the Production of Documents and all documents used to prepare for the deposition.

#### DEFINITIONS

1. "Complaint" means Plaintiff's Consolidated Class Action Complaint filed in the United States District Court in the Northern District of California on August 28, 2015. (Dkt. No. 34.)

2. "Faceprint" means a scan of an individual's facial features, including, using Facebook's own examples, "the distance between the eyes, nose and ears." *See How does Facebook suggest tags?*, Faceprint Help Center, <https://www.facebook.com/help/122175507864081>.

3. "Plaintiff" or "Plaintiffs" means or refers to Adam Pezen, Carlo Licata, and Nimesh Patel, collectively and individually.

4. "Relating To," including its various forms such as "Relates To" or "Related To," means to consist of, concern, discuss, mention, regard, refer to, reflect or be in any way logically, factually or legally connected, directly or indirectly, with the matter described.

5. "Terms of Service" means Facebook's "Terms of Use," Terms of Service," or "Statement of Rights and Responsibilities," as those terms are used in the Declaration of Jeremy

1 Jordan in this Action (Dkt. 20).

2 6. "You," "Your," or "Facebook" means Defendant Facebook, Inc., and its  
3 divisions, subsidiaries, related companies, predecessors and successors, all present and former  
4 officers, directors, agents, attorneys, employees, and all Persons acting or purporting to act on  
5 behalf of any of them.

6 **TOPICS FOR RULE 30(b)(6) DEPOSITION**

7 1. The design, content, and availability of Terms of Service prior to and subsequent  
8 to the collection of Faceprints from individuals.

9 2. The manner in which You contend that You obtained assent to the Terms of  
10 Service from each named Plaintiff in the action.

11 3. The manner in which You contend that You presented the Terms of Service to  
12 each named Plaintiff in the action.

13 4. Quantitative, statistical, or analytics information related to user engagement with  
14 Your website, including user engagement with Your Terms of Service and the Sign-Up Process.

15 5. Quantitative, statistical, or analytics information related to each named Plaintiff in  
16 this Action's user engagement with Your website, including their user engagement with Your  
17 Terms of Service and the Sign-Up Process.

18 6. Proposals, considerations, deliberations, and choices relating to the design and  
19 layout of the versions of Your Terms of Service in place when each named Plaintiff in this action  
20 registered his Facebook account.

21 7. Proposals, considerations, deliberations, and choices relating to the design and  
22 layout (*e.g.*, user-flow, bolding, capital letters, placement of certain clauses and hyperlinks) of  
23 the registration process in place when each named Plaintiff in this action registered his Facebook  
24 account.

25 \* \* \*

**CARLO LICATA**, individually and on behalf of  
all others similarly situated,

Dated: December 18, 2015

By: /s/ Alexander T.H. Nguyen  
One of Plaintiffs' Attorneys

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Class*

**CERTIFICATE OF SERVICE**

I, CORBAN S. RHODES, hereby certify that on December 18, 2015, I served the above and foregoing *Plaintiff Carlo Licata's Notice of Rule 30(b)(6) Deposition of Defendant Facebook* by causing true and accurate copies of such paper to be transmitted via Federal Express and/or electronic mail, as indicated, to the persons shown below.

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*Counsel for Defendant Facebook, Inc.*

/s/ Corban S. Rhodes

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